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MEMO ENDORSED

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September 20, 2006

BY FACSIMILE

The Honorable James C. Francis IV
 United States Magistrate Judge
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl Street Room 1960
 New York, New York 10007-1312

Re: Concepcion v. City of New York, et al., 05 CV 8501 (KMK) (JCF)

Dear Judge Francis:

We are herewith requesting that the briefing schedule to which we agreed this past Friday, September 15, 2006, for submissions regarding production of mental health records, be changed to comport with the briefing schedule in Abdell v. City of New York, 05 CIV 8453. That schedule provides that answering papers will be due on October 23, 2006, and reply by corporation counsel due by November 13, 2006.

We are requesting this change in the interests of judicial economy in view of the fact that the issues and legal consequences involving non production of said records are similar for both cases, and we and Mr. Spiegel will be sharing legal research on this matter. There will be no prejudice to the defendant by this two week extension of time.

Thank you for your kind consideration.

Respectfully,


 KAREN WOHLFORTH (0235)
 ZELDA STEWART (8376)

Cc: Jeff Dougherty, Esq.

Application denied. The relevant law has been addressed repeatedly in the related cases, most recently by Judge Karas' September 20, 2006 opinion in Hershey-Wilson.

so ORDERED.
 James C. Francis IV
 USM